The background of the document is a dark blue field with numerous white stars of varying sizes scattered across it. At the bottom of the page, there is a decorative border consisting of diagonal stripes in red and white, reminiscent of the stripes on the American flag.

2022- 2024 FOIA Advisory Committee Bylaws Recommended Changes

PUBLIC COMMENT

August 14, 2022

by

Robert Hammond

Whistleblower

foiacompliance@gmail.com

HYPERLINKED OUTLINE

[Context](#)

[Recommended Bylaws Changes](#)

[Hammond FOIA Advisory Committee Nomination – Biography and Anticipated Contributions](#)

[OGIS Posting Policy for Public Comments](#)

CONTEXT

General Context

- I am a private citizen Freedom of Information Act advocate, Naval Academy graduate/career veteran/DoD civilian and now reluctant whistleblower who loves our country and believes that “An informed citizenry is at the heart of a dynamic democracy.” (Thomas Jefferson). Integrity and accountability matter.
- If appointed to the 2022 – 2024 FOIA Advisory Committee, I will humbly and faithfully represent the interest of non-lawyer private citizen requesters and work to improve FOIA processes for all.

RECOMMENDED BYLAW CHANGES

Recommended changes are in bold blue italics.

Article 4. Meetings.

E. Agenda. The DFO, in consultation with the Chairperson, shall approve the agenda for all meetings. OGIS will distribute the agenda to the members prior to each meeting. OGIS will post a copy of the agenda to the Committee's webpage or subpages at <https://www.archives.gov/ogis/foia-advisory-committee/2022-2024-term> in advance. Any member of the Committee may submit agenda items to the Chairperson or DFO. Non-members, including members of the public may also suggest agenda items to the Chairperson or DFO. ***The Agenda, briefing slides, and any draft committee recommendations will be posted ten days prior to the meeting to allow members of the public to prepare.***

Rationale. Self-explanatory.

F. Conduct of Meetings. The Chairperson will call meetings to order, following which the members will state their presence. The Chairperson will then read or reference the certified minutes of the previous meeting. The Chairperson will make announcements, ask for reports from subcommittees or individual members as previously arranged, open discussion of unfinished business, introduce new business, and invite members to comment on any business. Public oral comment may be invited at any time during the meeting, but most likely at the meeting's end, ~~unless the meeting notice advised that written comment was to be accepted in lieu of oral comment.~~ ***Not less than 15 minutes will be allotted to oral public comments regardless of the number of callers. Members of the public may seek additions to the Agenda, which will receive a written reply. Members of the public may use briefing slides provided in advance for their oral public comments.*** Upon completion of the Committee's business, as agreed upon by the members present, the DFO will adjourn the meeting.

Rationale.

Excluding oral public comments may be a violation of multiple statutes. Nevertheless, it is contrary to the public interest.

The OGIS chairperson has limited oral public comments to just three minutes per commenter and then refused to allow a member of the public (me) to continue or be recognized a second time when there was time left. Essentially the OGIS chairperson limited oral public comments to three minutes total by refusing to recognize me a second time when there were no other callers. Three minutes of public comments per meeting does not satisfy the requirement to allow public comments.

G. Minutes. The DFO will prepare minutes. *Draft minutes and transcripts, addressing fully all oral and written public comments, all You-Tube top chant comments, and WEBEX comments shall be posted within 30 calendar days for public review with a ten-day comment period to assure accuracy.* The Chairperson will certify the accuracy of the minutes— within 90 **45** calendar days. Copies of the minutes will be published on the Committee’s web page once certified. The minutes will include a record of the persons present (including the names of committee members, names of staff, and the names of members of the public from whom written or oral presentations were made) and a description of the matters discussed and conclusions reached, and copies of all reports, recommendations, or other materials received, issued or approved by the Committee.

Rationale.

- Past certified meeting minutes have been materially inaccurate when compared to the contemporaneous transcripts, yet OGIS has refused to correct them.
- Past meeting minutes have not included any discussion of the content of oral or written comments other than noting that they exist, which is extremely problematic (i.e., There was a meeting. There were oral public comments. The end.).
- Allowing 90 days to post meeting minutes is ridiculous and does not serve the public interest. Then, such minutes are then not even posted within 90 days; often being posted the night before the next FOIA Advisory Committee meeting and thus not being subject to careful review.

- Substantive comments and questions from the YouTube top chat and the Webex chat must be addressed or copies of them appended to the minutes.
- In my personal experience, for years I published meeting minutes within 30 days for multiple-day meetings with hundreds of active participants covering disparate, complex issues and did so without the benefit of contemporaneous transcripts.
- Persons wanting to participate in a public meeting should have the minutes of the last meeting well in advance, and those minutes must be complete and accurate.

H. Public Comment. Members of the public may attend any meeting, or any portion of a meeting, that is open to the public, and may ~~at the determination of the Chairperson,~~ offer public comment during a meeting. ~~The meeting announcement published in the Federal Register may note that oral comment from the public is excluded and in such circumstances invite written comment as an alternative.~~ Members of the public may submit written statements to the Committee at any time. ***Public Comments Posting Policy shall be approved by the Committee.***

Rationale.

Excluding oral public comments may be a violation of multiple statutes. Nevertheless, it is contrary to the public interest.

OGIS's public posting policy appears contrary to law and the public interest. In response to a Congressional inquiry, NARA/OGIS changed its' public comments posting policy (still contrary to law and the public interest) days before responding and mislead Congress that the changed policy was in effect at the time of the inquiry.

The current public comments posting policy is unreasonable (as contemplated by statute) and overly restrictive in excluding comments regarding OGIS.

The FIOA Advisory Committee should vote on the public comments posting policy that I proposed in prior written comment and have

appended to this briefing (Archivist of USA & OGIS Posting Policy Does Not Comport with Law).

Article 6. Committee Officers and Responsibilities.

D. Designated Federal Officer. The FACA requires each advisory committee to have a DFO and an alternate, one of whom must be present for all meetings. OGIS staff serves as the DFO and alternate for the Committee. Any meeting held without the DFO or alternate present will be considered as a subcommittee, subgroup, or working group meeting. The DFO will: (1) call the meeting of the Committee or Subcommittee(s); (2) approve the agenda for all meetings; (3) attend the meetings of the Committee and Subcommittee(s); (4) adjourn the meeting of the committee or Subcommittee(s); and (5) chair any meeting when so directed by the AOTUS. *The DFO shall have no other NARA assigned duties.*

Rationale.

In its FOIA Advisory Committee is chartered under the second United States Open Government National Action Plan.

In its annual reports to GAO identifying FOIA Advisory Committee Resources, NARA reports that the DFO is a full-time position.

However, OGIS reports in its annual Ombuds reports to the President and Congress that DFO, Kirstin Mitchell, is the FOIA compliance team lead, which has only two other persons, both hired after March 2022. Kirstin Mitchell cannot effectively manage oversight of over 800,000 FOIA requests and countless administrative appeals while serving as full-time DFO. One, or likely both, the afore mentioned reports are materially inaccurate as to resources.

NARA continues to grossly underfund OGIS and support for this Committee. It is not the role of this Committee to ration scarce OGIS resources; rather it is to demand sufficient resources for effective execution of OGIS's missions.

HAMMOND FOIA ADVISORY COMMITTEE NOMINATION

BIOGRAPHY AND ANTICIPATED CONTRIBUTIONS

I would be humbled and honored to serve as either an “all other requester” or as a recently retired 45-year federal employee, supporting the Technology, Process and/or other sub-committees where I can impact meaningful process improvements.

I volunteer in advance to participate in writing the final term report.

I am a “doer” who is extraordinarily efficient in drafting and coordinating process improvements to achieve consensus and excellent final work products.

Key Qualifications.

- Active non-attorney FOIA requester for over nine years, FOIA litigant (both with representation and pro se), who participated in two formal mediations.
- Actively use multiple FOIA portals.
- Passionately participated in every open FOIA meeting for the last two years, researching and preparing constructive oral and written public comments with recommendations to address serious process and funding deficiencies; the quality of which is evident. No one has done more.
- Routinely communicate with more than 1,000 FOIA professionals, media, interested parties, GAO, and Congress.
- Over 45 years of federal service and two+ years at Information Network Systems supporting DOD with extensive experience and high-level accreditations in information technology, finance, and as a warranted contracting officer – the Committee needs such expertise.
- Chaired high-level federal agency wide committees for over a decade, drafting and achieving consensus on process improvements in multiple functional areas and complex electronic data information exchange (including foreign with entities).
- Top Secret clearance – sensitive to records release. Participated in defending FOIA withholding as a fed.
- Multiple post-graduate degrees, certifications, high honors, trainer.

ARCHIVIST OF USA & OGIS
POSTING POLICY FOR PUBLIC COMMENTS
DOES NOT COMPORT WITH LAW.

**FOIA Advisory Committee
&
OGIS Open Meeting**
PUBLIC COMMENT

by Robert Hammond
FOIAcompliance@gmail.com
October 4, 2021/
June 18, 2022

1. [NEED FOR CHANGE TO RECENTLY ALTERED POSTING POLICY FOR PUBLIC COMMENTS](#)
 - a. OGIS Malfeasance?
 - b. Alteration of policy on September 27, 2021, two days prior to response to Congressional inquiry; includes a link suggesting to Congress that the policy had not been changed/altere
 - c. September 27, 2021 Ombudsman disseminated altered policy.
 - d. Altered policy appears contrary to governing laws, regulations, and policies, effectively censoring public comments.
 - e. No basis cited for not posting Hammond public comments
2. [MOTION TO CHANGE POSTING POLICY FOR PUBLIC COMMENTS](#)
3. [APPENDIX A. PROPOSED POSTING POLICY FOR PUBLIC COMMENTS POSTING](#)
4. [APPENDIX B. EMAIL TO THE HONORABLE DAVID S. FERRIERO, ARCHIVIST OF THE U.S. RESPONSE TO OGIS DIRECTOR'S 29 SEPTEMBER 2021 LETTER TO CONGRESSMAN](#)
5. [APPENDIX C. OGIS DIRECTOR'S SEPTEMBER 29, 2021 LETTER TO CONGRESS "OGIS RESPONSE HAMMOND PUBLIC COMMENTS 9 JULY 2021."](#)
6. [APPENDIX D. "OGIS POSTING POLICY FOR PUBLIC COMMENTS PRIOR TO SEPTEMBER 27, 2021](#)
7. [APPENDIX E. OGIS DIRECTOR'S "OGIS RESPONSE HAMMOND PUBLIC COMMENTS 9 JULY 2021."](#)
8. [APPENDIX F. NARA LEADERSHIP](#)

- By letter dated September 29, 2021, OGIS Director Alina Semo responded to a Congressional Inquiry on behalf of the Archivist of the United States, Hon. David S. Ferriero, as to why OGIS had not posted as my Public Comments to the FOIA Advisory Committee, the Chief FOIA Officers Council, and the OGIS Annual Open Meeting, Ms. Semo's July 9, 2021 letter to me "OGIS response Hammond public comments 9 July 2021."
- On September 27, 2021, two days prior to that September 29, 2021 letter, OGIS materially altered its Posting Policy for Public Comments (& included a link in its September 29, 2021 letter to the altered Posting Policy for Public Comments, as if it had not been altered). An example of an unlawful change is, "We will review written comments and letters and, as appropriate, share them with Committee or Council members." BY LAW ALL WRITEN COMMENTS MUST BE SHARED. See altered version at archives.gov/ogis/about/public-comments-policy.
- The September 27, 2021 altered public comments posting policy contains **language that appears contrary to governing laws, regulations, and policies, effectively censoring public comments.**
- Also on September 27, 2021, OGIS cited in the Ombudsman Blog the altered Posting Policy for Public Comments.
- The OGIS Director's September 29, 2021 letter to Congress did not then cite **ANY BASIS WHATSOEVER FOR NOT POSTING** as my public comments. Semo's July 9, 2021 letter to me, "OGIS response Hammond public comments 9 July 2021." which is clearly germane to the work of the entities and complaint with NARA's "Posting Policy for Public Comments."

FOIA Advisory Committee By-Laws

- **Public Comment.** Members of the public may attend any meeting, or any portion of a meeting, that is open to the public, and may at the determination of the Chairperson, offer public comment during a meeting. The meeting announcement published in the Federal Register may note that oral comment from the public is excluded and in such circumstances invite written comment as an alternative. Members of the public may submit written statements to the Committee at any time.
- **Open Meetings.** Unless otherwise determined in advance, all meetings of the Committee will be open to the public. All matters brought before or presented to the Committee during the conduct of an open meeting, including the minutes of the proceedings of an open meeting, shall be available to the public for review or copying.
- **Voting Eligibility.** Only the Chairperson and the members may vote on **an issue before the Committee.**

Issue Before the Committee Requiring a Vote

- As a member of the Public, by and through these written Public Comments/Report to the Committee, I am introducing **an issue before the Committee** requiring a vote at the December 9, 2021 FOIA Advisory Committee Meeting.
- **Issue before the Committee requiring a vote:** “That the Archivist of the United States rescind the September 27, 2021 [Posting Policy for Public Comments](#) currently on the [archives.gov/ogis/about/public-comments-policy](https://www.archives.gov/ogis/about/public-comments-policy) webpage, which do not comport with law. Further that the Posting Policy for Public Comments at **Appendix A** of this presentation be adopted as replacement.

[I have indicated the needed deletions to the non-complaint September 27, 2021 Posting Policy for Public Comments in double strikethrough and additions in *bold blue italics*. Additional clarifying comments as to why these changes are needed are cited in Appendix B.]

Posting Policy for Public Comments

The Office of Government Information Services (OGIS) welcomes public comments through a variety of avenues, including the **Freedom of Information Act (FOIA) Advisory Committee** ~~and~~ the **Chief FOIA Officers Council** If you wish to submit public comments regarding ideas to improve the FOIA process, your best venue is *and* the **OGIS Annual Open Meeting**. ~~The Committee and the Council also welcome public comments that focus on the specific topics they are considering.~~

The following policies apply to all public comments. Your comments are welcome at any time. ~~We will~~ review written comments and letters ~~and~~, as appropriate, share them with Committee or Council members. ~~We will~~ use our discretion regarding whether to post them to ~~the~~ Committee or the Council website.

- If OGIS determines that comments will be posted, *OGIS will provide all comments to the members of the respective venues per governing statutes. OGIS will post all comments other than those enumerated below as comments that "OGIS will not post" (i.e., contain abusive, vulgar, offensive, threatening, or harassing language).*
- ~~We~~ will post ~~them~~ *comments* with attachments and other supporting materials to the appropriate website without edits or redactions. This means that any business or personal information included in the correspondence such as names, addresses, e-mail addresses, and telephone numbers will be visible to the public. Submit only information that you wish to make available publicly.
- To foster an open dialogue, we request that commenters sign their correspondence with their real names. However, we will accept and post comments that are anonymous or submitted under an Internet handle if the comments comply with the posting policies described on this webpage.
- Comments submitted to the Committee or Council should pertain to the work of that entity.

- OGIS will not post comments that ~~are clearly off topic~~; **do not**
- ***pertain to of that entity***;
 - promote services or products;
 - contain abusive, vulgar, offensive, threatening, or harassing language; are personal attacks of any kind;
 - use offensive terms that target specific individuals or groups;
 - are requests for OGIS assistance with individual requests or issues; ~~requests for~~ or concerns about **a** specific FOIA requests ***except as examples that pertain to the work of that entity (e.g., FOIA compliance)***; and issues should be addressed to ogis@nara.gov; or
 - contain gratuitous link to products, services, or entities to sites are viewed as spam. OGIS reserves the right not to post comments that do not adhere to these standards. ***In any instance where OGIS believes that comments do not adhere to these standards, OGIS will promptly notify the submitter within three working-days of the specific portions that OGIS believes do not comply so that the submitter may make revisions or seek timely redress.***
 - ~~OGIS will respond to comments at its discretion. There is no requirement that written comments or responses be posted online.~~
 - We encourage all commenters to submit their comments in formats compliant with **Section 508 of the Rehabilitation Act of 1973**, as amended (29 U.S.C. §794d).
 - Generally, we will post the public comments as Hypertext Markup Language (HTML). In creating HTML documents, we follow the accessibility requirements and standards of Section 508 of the Rehabilitation Act of 1973, (29 U.S.C. §794d). ~~For example, we include alternate text to describe graphics.~~ ***Similar procedures apply to other formats, such as PDF or PowerPoint.***

For comments submitted via email:

The subject line of your message should include the words "Public Comments."

- If you attach a document to your email, please indicate the format or software used (e.g., PDF, Word Perfect, MS Word, ASCII text, etc.) to create the attachment.

Recommendations for Submitting Effective

- If OGIS, the Committee or the Council calls for comments on a specific document (such as a draft report or recommendation), please read the document in its entirety before submitting your comments. If you identify a concern with the document on which you are commenting, consider suggesting alternative language.
- Comments that clearly identify and describe issue(s) are most useful to OGIS, the Committee or the Council.
- Data and/or anecdotes drawn from your experience can help OGIS, the Committee or the Council understand your position on an issue. Wherever possible, include citations or links to relevant studies, articles, reports, or legal authorities that support your points.
- Consider the pros and cons of your position and explain them. Consider the views and suggestions of others, and respond to them with facts and reasons.
- If you respond to the comments of others, identify the relevant comments in your response.
- If you have credentials or experience that give you expertise in the topic on which you are commenting, explain what they are. If you are commenting on behalf of an organization, explain the nature and mission of your organization and your relationship vis-a-vis that organization.

Direct Responses ***Venues for Submitting Public Comments***

~~We cannot respond to every comment individually. At our discretion, we may respond to the public comments we receive.~~

~~Please contact us if you have any questions.~~

We offer the following table to guide you in submitting public comments. When submitting public comments, we request that you indicate the intended venue.

Venues for Submitting Public Comments

Venue:	OGIS Annual Open Meeting	FOIA Advisory Committee	Chief FOIA Officers Council
Purpose:	To present on the "review and	To study the federal FOIA landscape and	To develop recommendations for

	<p>reports” by OIGIS. 5 U.S.C. § 552(h) (6)</p>	<p>recommend to the Archivist of the United States improvements to the administration of FOIA.</p> <p><i>“Establish a FOIA Modernization Advisory Committee. Improvements to FOIA administration must take into account the views and interests of both requesters and the Government. The United States will establish a formal FOIA Advisory Committee, comprised of government and non-governmental</i></p>	<p>increasing FOIA compliance and efficiency; disseminate information about agency experiences, ideas, best practices, and innovative approaches to FOIA; Identify, develop, and coordinate initiatives to increase transparency and compliance with FOIA; and promote the development and use of common performance measures for agency compliance with this section. (5 U.S.C. § 552(k)(5)(A)). <i>In performing the duties described in subparagraph (A), the Council shall consult on a regular basis with members of the public who make requests under this section. (5</i></p>
--	---	--	--

		<p><i>members of the FOIA community, to <u>foster dialog between the Administration and the requester community, solicit public comments, and develop consensus recommendations for improving FOIA administration and proactive disclosures.</u></i></p>	<p><i>U.S. Code § 552 (k)(5)(B)).</i></p>
--	--	--	---

<p>Membership:</p>	<p>Not Applicable</p>	<p>No more than 20 individuals, including FOIA professionals from federal agencies and non-governmental members, appointed by the Archivist of the United States for two-year terms in accordance with the charter of the FOIA Advisory Committee.</p> <p><i>The Federal FOIA Advisory Committee reports to the Archivist of the United States (AOTUS) who chartered the Committee in May 2014.</i></p>	<p>The Director of OIGIS and the Office of Information Policy (OIP) at the Department of Justice, the Deputy Director for Management of the Office of Management and Budget, agency Chief FOIA Officers, and any other officer or employee of the United States as designated by the co-chairs (OIGIS and OIP Directors.) (5 U.S.C. § 552(k)(2))</p>
---------------------------	-----------------------	--	--

Public Comments Page:	Public Comments Submitted for the OGIS Annual Open Meeting	Public Comments Submitted to the FOIA Advisory Committee	Public Comments Submitted to the Chief FOIA Officers Council
Written or Oral Statements/Comments:	<p>OGIS shall at its annual meeting allow "interested persons to appear and present oral or written statements" 5 U.S.C. §552(h)(6).</p>	<p>Any member of the public is permitted to file a written statement with the Committee in accordance with federal regulations governing all federal advisory committees. (41 CFR § 102–3.140(c)). Any member of the public may speak to or otherwise address the Committee, (41 CFR § 102–3.140(d)), if agency guidelines permit. <i>As to speaking during a public meeting, t</i> The FOIA Advisory Committee By-Laws, Article 4</p>	<p>"Not less frequently than annually, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council." (5 U.S.C. §552(k)(6)(B)) There is no requirement for the Council to respond, either orally or in writing, to any person who submits comments, although the Council may respond at its discretion. There is no requirement for the Council to post submitted written</p>

Subsection H, state that members of the public "may at the determination of the Chairperson, offer public comment during a meeting."

comments to its website (although OGIS has done so in the past).

~~There is no requirement for the Committee to respond, either orally or in writing, to any person who submits comments although the Committee may respond at its discretion. There also is no requirement for the Committee to post submitted written comments to its website. OGIS's posting policy states that comments "should be substantive commentary on topics pertaining to the Committee's work."~~

Please contact us if you have any questions.

The U.S. National Archives and Records Administration
1-86-NARA-NARA or 1-866-272-6272

APPENDIX B. EMAIL TO THE HONORABLE DAVID S. FERRIERO, ARCHIVIST OF THE U.S. RESPONSE TO OGIS DIRECTOR'S 29 SEPTEMBER 2021 LETTER TO CONGRESSMAN

From: [Robert Hammond]

Sent: Monday, October 4, 2021 5:55 PM

To: david.ferriero@nara.gov; debra.wall@nara.gov

Cc: debra.wall@nara.gov; maria.stanwich@nara.gov; tasha.ford@nara.gov; garym.stern@nara.gov; john.hamilton@nara.gov; pamela.wright@nara.gov; oliver.potts@nara.gov; jay.trainer@nara.gov; ann.cummings@nara.gov; swarnali.haldar@nara.gov; micah.cheatham@nara.gov; Colleen.Murphy@nara.gov; valorie.findlater@nara.gov; john.valceanu@nara.gov; meg.phillips@nara.gov; erica.pearson@nara.gov; christopher.eck@nara.gov; mark.bradley@nara.gov; gordon.everett@nara.gov; william.fischer@nara.gov; scott.levins@nara.gov; allison.olson@nara.gov; richard.hunt@nara.gov; terri.garner@nara.gov; laverne.fields@nara.gov

Subject: NARA's OGIS Posting Policy for Public Comments. Office of Government Services (OGIS) September 29, 2021 Letter to Congressman [REDACTED]

October 4, 2021

The Honorable David S. Ferriero,
Archivist of the United States
The National Archives and Records Administration
8601 Adelphi Road
College Park, MD 20740-6001

SUBJECT: NARA's OGIS Posting Policy for Public Comments. Office of Government Services (OGIS) September 29, 2021 Letter to Congressman [REDACTED]

Dear Mr. Ferriero:

(With copy to Congressman [REDACTED])

This replies to Ms. Semo's deeply disturbing September 29, 2021 letter to Congressman [REDACTED] regarding NARA's Office of Government Services (OGIS) Public Comments Posting Policy. (Ms. Semo sent that letter on your behalf as the Archivist of the U.S.).

1. **For OGIS Director, Alina Semo, to reply to a complaint about herself** regarding her personal decision not to post as my public comments her July 9, 2021 letter to me concerning Public Comments Posting Policy to the federal Freedom of Information Act (FOIA) Advisory Committee, the Chief FOIA Officers Council, and the OGIS Annual Open Meeting is highly inappropriate (in my view).
 - a. **ACTION SOUGHT**. Please provide a reply from the Archivist of the United States or Debra Steidel Well, Deputy Archivist of the United States.

2. **Ms. Semo’s September 29, 2021 letter to Congressman [REDACTED] DOES NOT CITE ANY BASIS WHATSOEVER FOR NOT POSTING as my public comments Ms. Semo’s July 9, 2021 letter to me, “OGIS response Hammond public comments 9 July 2021.pdf.”**
 - a. The subject document to be posted is clearly germane to the work of the Committee, Council, and Open Public Meetings.
 - b. None of the statutes cited Ms. Semo’s 29 September 2021 letter preclude my public comments from being posted, and the document to be posted clearly complies with all of NARA’s Posting Policy for Public Comments.
 - c. Ms. Semo appears to be violating NARA’s own Public Comments Posting Policy (regarding comments that she does not like), which states, “OGIS does not discriminate against any views ...”
 - d. **ACTION SOUGHT**. Immediately publicly post “OGIS response Hammond public comments 9 July 2021.pdf” to the OpenFOIA, FOIA Advisory Committee, and Chief FOIA Officers Council meetings websites.
 - e. **ACTION SOUGHT**. Cite the specific statute or violation of NARA’s Posting Policy for Public Comments underlying NARA’s decision not to have already posted the subject document.

3. **On September 27, 2021, two days prior to that September 29, 2021 letter, OGIS materially altered its Posting Policy for Public Comments and misleadingly included in its September 29, 2021 letter a link to the altered Posting Policy for Public Comments, as if it had not been altered.**
 - a. The altered content effectively censors Public Comments at the whim of OGIS’s Director, stating (for example): “There is no requirement for the Council to post submitted written comments to its website (although OGIS has done so in the past).”
 - b. The altered content contains language that is contrary to law (*see* ¶6 below).
 - c. **ACTION SOUGHT**. Identify who initiated the change (believed to be Alina Semo) and why.

4. **Also on September 27, 2021, OGIS cited in the Ombudsman Blog the altered Posting Policy for Public Comments and misleadingly included in its September 29, 2021 letter a link to the altered Posting Policy for Public Comments as if it had not been altered.**
 - a. OGIS’s Director controls/censors/filters the Ombudsman Blog content.
 - b. The Ombudsman Blog is not a substitute for posting unfiltered public comments to the applicable concise meeting websites, which serve as permanent records of comments by members of the Public. Thousands of persons attend or view each meeting on YouTube.
 - c. **ACTION SOUGHT**. Identify who initiated the Ombudsman Blog alternated content (believed to be Alina Semo) and why.
 - d. **ACTION SOUGHT**. Rescind the September 27, 2021 Blog content and replace it with the revised language of Appendix A as discussed in ¶5 below.

5. **The September 27, 2021 altered Public Comments Posting Policy contains language that is contrary to governing laws, regulations, and policies (*see* ¶6 below).**

- a. **ACTION SOUGHT**. Effect as indicated in Appendix A, Proposed Posting Policy for Public Comments Posting, the needed deletions in double strikethrough and additions in *bold blue italics*. Additional clarifying comments as to why these changes are needed are cited below.

6. **The September 27, 2021 revise Public Comments Posting Policy adds in the two opening paragraphs language that is contrary to governing laws, regulations, and policies:**

“The Committee and the Council also welcome public comments that focus on the specific topics they are considering. The following policies apply to all public comments. Your comments are welcome at any time. **We will review written comments and letters and, as appropriate, share them with Committee or Council members. We will use our discretion regarding whether to post them to the Committee or the Council website.**”

- a. By governing statutes, ALL comments submitted to the Committee and Council must be presented to them. It is a violation of law to state or do otherwise.
- b. Ms. Semo and her staff control the agendas for each meeting. The question is not whether the topics that Ms. Semo chooses are on the agenda for the meeting as topics they are considering, but whether the comments “pertain to the work of that entity.”
- c. OGIS does not have any discretion regarding posting comments other than those that “do not adhere to these standards” for “Comments that OGIS will not post” as revised by Appendix A.
- d. OGIS’s Director may not censor or steer Public Comments. “Ideas for improving the FOIA Process” are integral to all venues, not just the OGIS Annual Open Meeting.
- e. Note the Designated Federal Officer (DFO) works directly for Ms. Semo.

7. **The September 27, 2021 revise Public Comments Posting Policy table “Venues for Submitting Public Comments” fails to cite all the statutes regarding open public meetings, mistreat the purpose of the FOIA Advisory Committee, and unlawfully appends to the statutory language disclaimers that posting public comments is not required.**

a. **ACTION SOUGHT**.

REMOVE from “Venues for Submitting Public Comments Purpose,” in the column “FOIA Advisory Committee,” the text:

“To study the federal landscape and recommend to the Archivist of the United States improvements to the administration of FOIA.”

REPLACE with the verbatim language of the SECOND OPEN GOVERNMENT NATIONAL ACTION PLAN FOR THE UNITED STATES OF AMERICA:

“Establish a FOIA Modernization Advisory Committee. Improvements to FOIA administration must take into account the views and interests of both requesters and the Government. The United States will establish a formal FOIA Advisory

Committee, comprised of government and non-governmental members of the FOIA community, to foster dialog between the Administration and the requester community, solicit public comments, and develop consensus recommendations for improving FOIA administration and proactive disclosures.

- b. **ACTION SOUGHT.** Remove from “Venues for Submitting Public Comments” in the column “Public Comments Submitted to the FOIA Advisory Committee,” all text following “41 CFR§ 102–3.140(d), if agency guidelines permit.” (Note Advisory Committee By-Laws cited only apply generally to whether persons may speak at a meeting and not to the posting of public comments.
- c. **ACTION SOUGHT.** Remove from “Venues for Submitting Public Comments” in the column “Public Comments Submitted to the Chief FOIA Officers Council” all text following “(5 U.S.C. §552(k)(6(B))” and beginning “There is no requirement ...”
- d. **ACTION SOUGHT.** After removing the text cited above, append to the statutory language above:
“In performing the duties described in subparagraph (A), the Council shall consult on a regular basis with members of the public who make requests under this section. (5 U.S. Code § 552 (k)(5)(B)).”

8. **NARA’s website for the FOIA Advisory Committee falsely states, “ Written comments submitted to the 2020-2022 term of the Committee are available on the Committee's Public Comments Submitted to the FOIA Advisory Committee page.”**
- a. I have submitted multiple public comments that fully comply with the Posting Policy for Public Comments (e.g., “Mandatory Right to OGIS Dispute Resolution.pdf”), and I have sought in writing and in Public Meeting oral comments that I be notified of any comments or portions thereof that OGIS believes do not comply and the reason for that determination.

With my deep respect,

Robert Hammond

Committee, comprised of government and non-governmental members of the FOIA community, to foster dialog between the Administration and the requester community, solicit public comments, and develop consensus recommendations for improving FOIA administration and proactive disclosures.

- b. **ACTION SOUGHT.** Remove from “Venues for Submitting Public Comments” in the column “Public Comments Submitted to the FOIA Advisory Committee,” all text following “41 CFR§ 102–3.140(d), if agency guidelines permit.” (Note Advisory Committee By-Laws cited only apply generally to whether persons may speak at a meeting and not to the posting of public comments.
- c. **ACTION SOUGHT.** Remove from “Venues for Submitting Public Comments” in the column “Public Comments Submitted to the Chief FOIA Officers Council” all text following “(5 U.S.C. §552(k)(6(B))” and beginning “There is no requirement ...”
- d. **ACTION SOUGHT.** After removing the text cited above, append to the statutory language above:
“In performing the duties described in subparagraph (A), the Council shall consult on a regular basis with members of the public who make requests under this section. (5 U.S. Code § 552 (k)(5)(B)).”

8. **NARA’s website for the FOIA Advisory Committee falsely states, “ Written comments submitted to the 2020-2022 term of the Committee are available on the Committee's Public Comments Submitted to the FOIA Advisory Committee page.”**
- a. I have submitted multiple public comments that fully comply with the Posting Policy for Public Comments (e.g., “Mandatory Right to OGIS Dispute Resolution.pdf”), and I have sought in writing and in Public Meeting oral comments that I be notified of any comments or portions thereof that OGIS believes do not comply and the reason for that determination.

With my deep respect,

Robert Hammond

APPENDIX C. OGIS DIRECTOR'S SEPTEMBER 29, 2021 LETTER TO CONGRESS "OGIS RESPONSE HAMMOND PUBLIC COMMENTS 9 JULY 2021."



NATIONAL ARCHIVES *and* RECORDS ADMINISTRATION
8601 ADELPHI ROAD - OGIS | COLLEGE PARK, MD 20740-6001
www.archives.gov/ogis | ogis@nara.gov | o: 202.741.5770 | f: 202.741.5769 | t: 877.684.6448

29 September 2021

The Honorable [REDACTED]
U.S. House of Representatives Washington, DC 20515

Dear Congressman [REDACTED]:

Thank you for your email message of September 3, 2021, passing along the concerns of your constituent, Mr. Robert Hammond, regarding the Office of Government Information Services' (OGIS) statutory basis for not posting on our website a July 9, 2021 letter I sent to Mr. Hammond. Please know that OGIS has been communicating with Mr. Hammond on this and numerous other issues for some time; we have also posted a significant number of his comments on our website.

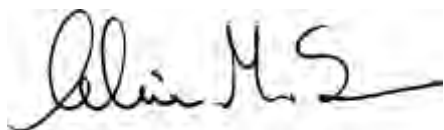
The July 9, 2021, letter at issue related to the purpose, membership, and how requesters may submit public comments to -- and for -- the federal [Freedom of Information Act \(FOIA\) Advisory Committee](#), the [Chief FOIA Officers Council](#), and the [OGIS Annual Open Meeting](#). While we no longer post letters we write to our individual customers on our website, in this instance OGIS decided that the information provided in this letter would be helpful to many in the FOIA community, and we have recently blogged about this on our [FOIA Ombudsman blog](#). Many within the FOIA community subscribe to our blog and receive email notification when we post something new. In contrast, there is no way to subscribe to - and be notified of - public comments we post on our OGIS website.

As to the legal basis for posting public comments, neither the FOIA statute nor the Federal Advisory Committee Act require OGIS to post public comments, or responses to public comments, on our website. However, in the spirit of transparency in our role as the federal FOIA Ombudsman, we often post public comments if we determine that they are in the public interest. In our [Posting Policy for Public Comments](#) you will see a table that includes citations to the legislation under which OGIS solicits public comments for the various public outreach efforts undertaken by OGIS.

Thank you again for your interest in OGIS and the National Archives. If you have any questions that we have not addressed, please do not hesitate to reach

out to me again.

Sincerely,

A handwritten signature in black ink, appearing to read "Alina M. Semo". The signature is fluid and cursive, with a long horizontal stroke at the end.

ALINA M. SEMO

Director

cc: NARA Office of Congressional Affairs



OGIS Notice

Due to the COVID-19 pandemic and pursuant to guidance received from the Office of Management and Budget (OMB), NARA has adjusted its normal operations to balance the need of completing its mission-critical work while also adhering to the recommended social distancing for the safety of our staff. As a result of this re-prioritization of activities, you may experience a delay in receiving a response to your request. To ensure a more timely response to your inquiry, please contact us via email at ogis@nara.gov. We apologize for this inconvenience and appreciate your understanding and patience. Read more on how NARA is addressing COVID-19 (coronavirus) www.archives.gov/coronavirus .

Contact Us/Submit Comments and Posting Policy for Public Comments

The National Archives and Records Administration encourages your questions and comments about and suggestions for the Freedom of Information Act (FOIA) Advisory Committee. We invite you to submit your written comments to the Committee by email, mail, or fax. To help us process and review your comments more efficiently, please use only one method for submitting comments.

By Email:

foia-advisory-committee@nara.gov

By Fax:

202-741-5769

By Mail:

Posting Policy for Public Comments

The Freedom of Information Act (FOIA) Advisory Committee seeks public comment on its activities and other FOIA matters. The following policies apply to letters and comments submitted to the FOIA Advisory Committee.

- Your comments are welcome at any time. We will circulate written comments and letters submitted to Committee members and post them to the website as soon as possible upon receipt.
- The Office of Government Information Services (OGIS) will post all comments, with attachments and other supporting materials, to the FOIA Advisory Committee website without edits or redactions. This means that any business or personal information included in the correspondencesuch as names, addresses, e-mail addresses, and telephone numbers will be visible to the public. Submit only information that you wish to make available publicly.
- To foster an open dialogue, the FOIA Advisory Committee requests that commenters sign their correspondence with their real names. However, the Committee will accept and post comments that are anonymous or submitted under an Internet handle, if the comments comply with the posting policies described on this webpage.
- Comments to the FOIA Advisory Committee should be substantive commentary on topics pertaining to the Committee's work. OGIS will not post comments that are clearly off-topic or that promote services orproducts.
- OGIS will not post comments that contain abusive, vulgar, offensive, threatening, or harassing language, personal attacks of any kind, or offensive terms that target specific individuals or groups.
- Gratuitous links to products, services, or entities to sites are viewed as spam and will not be posted.
- OGIS does not discriminate against any views, but reserves the right not to post comments that do not adhere to these standards.
- We will only post submissions that meet the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794d).
- Generally, we will post the public comments we receive to our website as Hypertext Markup Language (HTML). In creating HTML documents, we follow Section 508 standards; for example, weinclude alternate text to describe graphics.
- **For comments submitted via email:**

- The subject line of your message should include the words "Public Comments."
- If you attach a document to your email, please indicate the format or software used (e.g., PDF, Word Perfect, MS Word, ASCII text, etc.) to create the attachment.
- If you attach a document to your email, please ensure that the attachment meets the accessibility requirements of Section 508 of the Rehabilitation Act of 1973, as amended (29 U.S.C. §794d).

Recommendations for Submitting Effective Comments

If you wish to submit a comment to the Committee, please consider the following tips:

- If the Committee calls for comments on a specific document (such as a draft report or recommendation), please read the document before submitting your comment. If you identify a problem with the document on which you are commenting, consider suggesting alternative language.
- Comments that clearly identify and describe issue(s) are most useful to the Committee.
- Data and/or anecdotes drawn from one's own experience can help the Committee understand your position on an issue. Wherever possible, include citations or links to relevant studies, articles, reports, or legal authorities that support your points.
- Consider the pros and cons of your position and explain them. Consider the views and suggestions of others, and respond to them with facts and reasons.
- If you respond to the comments of others, identify the relevant comment in your response.
- If you have credentials or experience that give you expertise in the topic on which you are commenting, explain what they are. If you are commenting on behalf of an organization, explain the nature of your organization.

Please contact us if you have any questions.

The U.S. National Archives and Records Administration
1-86-NARA-NARA or 1-866-272-6272

APPENDIX E. OGIS DIRECTOR'S "OGIS RESPONSE HAMMOND PUBLIC COMMENTS 9 JULY 2021."



NATIONAL ARCHIVES and RECORDS ADMINISTRATION
8601 ADELPHI ROAD - OGIS | COLLEGE PARK, MD 20740-6001
www.archives.gov/ogis | ogis@nara.gov | o: 202.741.5770 | f: 202.741.5769 | t: 877.684.6448

July 9, 2021 – sent via email

Robert Hammond

[Redacted](#)

Dear Mr. Hammond:

Thank you for the comments you have submitted over the last several months to the Freedom of Information Act (FOIA) Advisory Committee, the Chief FOIA Officers Council, and the Office of Government Information Services (OGIS) Annual Meeting. We have carefully reviewed all of your comments and understand that you have many ideas about improving the FOIA process based on your experiences as a requester.

Although the Committee, the Council and OGIS are not required to respond to public comments, we offer the following information about public participation and comments to help direct your comments in the future.

The best venue to share your FOIA experiences and suggestions for improvement is directly with OGIS at [ogis \(link removed\) nara.gov](#). As the FOIA Ombudsman, we identify and surface issues and recommend opportunities for change. Each year, we handle thousands of requests for OGIS assistance which help us identify trends in the federal FOIA landscape. We use our extensive knowledge and experience to identify which recommendations are workable, and where to channel those recommendations to be most effective.

If you wish to submit public comments regarding ideas to improve the FOIA process, your best venue is the OGIS Annual Meeting. While the FOIA Advisory Committee and the Chief FOIA Officers Council welcome public comments, they are not the best venues for your ideas that do not relate specifically to topics being addressed by those entities.

OGIS Annual Open Meeting

- *Purpose:* To present on the “review and reports” by OGIS. 5 U.S.C. §552(h)(6)
- *Written statements:* OGIS shall at its annual meeting allow “interested persons to appear and present oral or written statements” 5U.S.C. § 552(h)(6)
- *Oral comments:* See above.

We use our discretion to decide whether and how to respond to public comments. FOIA Advisory Committee

- *Purpose:* To study the federal FOIA landscape and recommend to the Archivist of the United States improvements to the administration of FOIA.
- *Membership:* No more than 20 FOIA experts from inside the government (FOIA professionals) and outside the government (requesters) appointed by the Archivist of the United States for two-year terms
- *Written statements:* Any member of the public is permitted to file a written statement with the Committee in accordance with federal regulations governing *all* federal advisory committees. (41 CFR § 102–3.140(c)). There is no requirement for the Committee or OGIS to respond, either orally or in writing, to any person who submits comments although the Committee may respond at its discretion. There also is no requirement for the Committee to post submitted written comments to its website. OGIS’s posting policy states that comments “should be substantive commentary on topics pertaining to the Committee’s work.”
- *Oral comments:* Any member of the public may speak to or otherwise address the Committee, in accordance with federal regulations governing *all* federal advisory committees and if agency guidelines permit. (41 CFR § 102–3.140(d)). Please note that the FOIA Advisory Committee By-Laws, Article 4 Subsection H, states that members of the public “may at the determination of the Chairperson, offer public comment during a meeting.”

Regarding your request for time on the FOIA Advisory Committee’s June 10, 2021, meeting agenda, any member of the public may suggest agenda items in accordance with Article 4, Subsection E of the By-Laws. However, the Committee’s Designated Federal Officer, who approves the agenda in consultation with the Chairperson, is not obligated to respond to or approve agenda items suggested by members of the public.

Regarding your concern that when FOIA is discussed, “the Requester is the most important person in the room,” please know that half of the current Committee members are FOIA requesters representing a range of interests in the requester community. The Federal Advisory Committee Act mandates that all federal advisory committees be balanced in the points of view represented by their members. The Committee’s current term expires in June 2022 and should the Archivist of the United States renew the charter for a fifth term, you are welcome to nominate yourself to the Committee.

Chief FOIA Officers Council

- *Purpose:* To develop recommendations for increasing FOIA compliance and efficiency; disseminate information about agency experiences, ideas, best practices, and innovative approaches to FOIA; Identify, develop, and coordinate initiatives to increase transparency and compliance with FOIA; and promote the development and use of common performance measures for agency compliance with this section. (5 U.S.C. § 552(k)(5)(A))
- *Membership:* Deputy Director for Management of the Office of Management and Budget, the Directors of OGIS and the Office of Information Policy (OIP) at the Department of Justice, the agency Chief FOIA Officers, and any other officer or employee of the United States as designated by the co-chairs. (5 U.S.C. § 552(k)(2))
- *Written statements:* “Not less frequently than annually, the Council shall hold a meeting that shall be open to the public and permit interested persons to appear and present oral and written statements to the Council.” (5 U.S.C. § 552(k)(6)(B)) There is no requirement for the Council to respond, either orally or in writing, to any person who submits comments, although the Council may respond at its

discretion. There is no requirement for the Council to post submitted written comments to its website (although OGIS has done so in the past).

- *Oral comments:* See above.

Regarding your interest in participating in the Council's Technology Committee's working groups, please note that the groups consist of federal employees with expertise in FOIA and technology. Requesters are not part of the Council, the Technology Committee or the working groups, although each strives to "consult on a regular basis with members of the public who make requests under" FOIA. 5 U.S.C. § 552(k)(5)(B).

We hope this letter clarifies the roles and public comments policies of the FOIA Advisory Committee, the Chief FOIA Officers Council and OGIS's Annual Meeting in the federal FOIA landscape.

You have also referenced the status of recommendations from previous terms of the FOIA Advisory Committee. We invite you to visit our Committee recommendations dashboard, which we regularly update: [\(link removed\) archives.gov/ogis/foia-advisory-committee/dashboard/](#) The dashboard describes each recommendation and actions taken to fulfill each, and provides links to reports, correspondence and other related material.

Finally, regarding your individual concerns that you have raised with OGIS, we are reviewing those matters and urge patience as we work to respond to them separately.

Sincerely,

A handwritten signature in black ink, appearing to read "Alina M. Semo". The signature is fluid and cursive, with a long horizontal stroke at the end.

ALINA M. SEMO
Director

Cc: Bobak Talebian, Director, Office of Information Policy,
U.S. Department of Justice

Meet NARA's Leadership

Management Team



[Archivist of the United States](#)

David S. Ferriero

david.ferriero@nara.gov

➔ [David S. Ferriero's bio.](#)

The Honorable David S. Ferriero was sworn in as 10th Archivist of the United States on November 13, 2009.

David S. Ferriero was confirmed as 10th Archivist of the United States on November 6, 2009. Early in 2010 he committed the National Archives and Records Administration to the principles of Open Government—transparency, participation, and collaboration. To better position NARA to fulfill these goals, Mr. Ferriero initiated an agency transformation in 2010. The transformation restructured the organization and set goals to further our mission, meet the needs of those who rely on us, and find new, creative ways to approach the agency's work.

Openness and access drive NARA's actions in a variety of ways. The agency has embraced a number of social media tools—Facebook, Twitter, blogs, YouTube, Tumblr, and others—to reach a wider and broader audience. NARA uses this digital engagement as a two-way street. Early in his tenure, Mr. Ferriero celebrated the contributions of "citizen archivists," and he encourages public participation in identifying historical Federal records and sharing knowledge about them.

Access and protection go hand in hand, and NARA has taken steps to ensure that future generations will continue to enjoy access to Federal records. In August 2012, NARA produced the Managing Government Records Directive to modernize and improve Federal records management practices. Mr. Ferriero also instituted new security measures to deter theft or mishandling of records.

Several new facilities, designed to protect the records and improve access to them, have been opened since 2010. The George W. Bush

Presidential Library became the 13th Presidential Library under NARA's administration. The National Personnel Records Center in St. Louis, MO, moved into a newly constructed building that is better equipped to preserve the millions of veterans records in its care. And the National Archives at New York and the National Archives at Denver moved to new locations. In Washington, DC, the National Archives Museum's visitors entrance was reconfigured, and the new David M. Rubenstein Gallery opened in December 2013.

Previously, Mr. Ferriero served as the Andrew W. Mellon Director of the New York Public Libraries (NYPL). He was part of the leadership team responsible for integrating the four research libraries and 87 branch libraries into one seamless service for users, creating the largest public library system in the United States and one of the largest research libraries in the world. Mr. Ferriero was in charge of collection strategy; conservation; digital experience; reference and research services; and education, programming, and exhibitions.

Before joining the NYPL in 2004, Mr. Ferriero served in top positions at two of the nation's major academic libraries, the Massachusetts Institute of Technology in Cambridge, MA, and Duke University in Durham, NC. In those positions, he led major initiatives including the expansion of facilities, the adoption of digital technologies, and a reengineering of printing and publications.

Mr. Ferriero earned bachelor's and master's degrees in English literature from Northeastern University in Boston and a master's degree from the Simmons College of Library and Information Science, also in Boston. Mr. Ferriero served as a Navy hospital corpsman during the Vietnam War.



Deputy Archivist of the United States

Debra Steidel Wall

debra.wall@nara.gov

➔Debra Steidel Wall's bio.

Debra Wall was appointed as Deputy Archivist of the United States in July 2011. She previously served as the agency's Chief of Staff (2008-2011), and in a variety of management positions relating to bringing NARA's archival holdings to the public online. She joined the National Archives in 1991 as an archivist trainee with a specialty in film, and holds an undergraduate degree in history and government from Georgetown University, and a graduate degree in film from the American University.



Chief of Staff

Maria Carosa Stanwich
maria.stanwich@nara.gov

➔ Maria Carosa Stanwich's bio.

Maria Carosa Stanwich was appointed as NARA's Chief of Staff on February 5, 2017. She is the principal adviser to the Archivist of the United States for NARA's comprehensive communications program, serves as the agency champion for customer experience, and provides leadership for NARA's Executive Secretariat. She served as the Acting Chief of Staff since October 2016, when the Office of the Chief of Staff was created as part of the agency's reorganization.

Prior to that appointment, Maria served as the Acting Chief of Strategy and Communications Officer. She has previously served as Chief of Staff in the immediate Office of the Archivist, Executive Officer for Business Support Services, Operations and Public Programs Director for the National Archives Museum, and Deputy Director of the John F. Kennedy Presidential Library and Museum. Before joining NARA, Maria taught high school history in Washington, DC, and Boston.

Maria holds a Bachelor of Arts degree in International Relations from Boston University and a Master of Education degree in Administration, Planning, and Social Policy from Harvard University's Graduate School of Education.



Chief Operating Officer

William J. Bosanko
william.bosanko@nara.gov

➔ William J. Bosanko's bio.

William J. Bosanko was appointed as NARA's Chief Operating Officer effective January 1, 2013. Prior to this appointment, he served as NARA's Executive for Agency Services and was responsible for NARA's efforts nationwide to service the ongoing records management needs of Federal agencies and to represent the public's interest in the accountability and transparency of these records. Mr. Bosanko previously served as the Director of the Information Security Oversight Office from January 2008 to March 2011 where he was responsible for oversight of the government-wide security classification system and the National Industrial Security Program. Mr. Bosanko began his career with NARA in February 1993, first as an Archives Technician and later as an Archivist, working on NARA's Special Access and FOIA Staff and NARA's Records Declassification Division. He holds a Bachelor of Arts degree in Political Science from Susquehanna University (Selinsgrove, Pennsylvania).



[General Counsel](#)

Gary M. Stern

garym.stern@nara.gov

➔ Gary M. Stern's bio.

Gary M. Stern was appointed as NARA's General Counsel in 1998, and also serves as NARA's Chief Freedom of Information Act Officer, Senior Agency Official for Privacy, and Dispute Resolution Specialist. Gary provides legal and policy guidance with respect to NARA's implementation of the Federal Records Act, the Presidential Records Act, and all of the other statutes, regulations, orders, and directives that govern NARA's multiple archival and records-related responsibilities. Before coming to NARA, Gary worked for the U.S. Department of Energy (1995-98), the U.S. Federal Advisory Committee on Human Radiation Experiments (1994-95), and the Washington Office of the American Civil Liberties Union (1987-94), where he specialized in national security, classification, and information law issues. While at the ACLU, he participated as a plaintiff in *Armstrong, et al. v. Executive Office of the President*, the first major case involving government email recordkeeping practices, and also served as legal consultant to the National Academy of Science's Committee on Declassification of Information for the Environmental Remediation and Related Programs of the Department of Energy. Gary holds a JD from Yale Law School (1987), where he served as editor-in-chief of the *Yale Journal of International Law*, and an AB from Vassar College (1983), where he majored in Ancient Greek.



Director, Congressional Affairs

John Hamilton

john.hamilton@nara.gov

➔John Hamilton'sbio.

John Hamilton serves as NARA's Director of Congressional Affairs, where he plans, directs, and coordinates the legislative and congressional relations activities of NARA. Before coming to NARA, Mr. Hamilton led federal relations efforts for the University of California (UC) in Washington, DC, primarily in the Federal budget and appropriations processes, science and technology policy, and higher education programs and regulations. Mr. Hamilton also served as the assistant director for federal relations at the National Association of State Universities and Land-Grant Colleges, and worked as a legislative assistant to U.S. Congressman Robert Traxler, following issues related to education, science, labor, civil service, transportation and the Federal courts. Mr. Hamilton is a native of Michigan and received a BA in history from Saginaw Valley State University in Michigan and an MBA from an international graduate school at Kyung Hee University in Seoul, South Korea.



Chief Innovation Officer

Pamela Wright

pamela.wright@nara.gov

➔Pamela Wright'sbio.

Pamela Wright became NARA's first Chief Innovation Officer in December 2012. She leads staff responsible for agency-wide projects and programs in the following areas: innovation, digitization, web, social media, online description, and online public engagement. Ms. Wright previously served as the agency's Chief Digital Access Strategist (2009–2011), where she pulled together the web, social media, and online catalog staff into an award-winning integrated team for improved online public access, and as the manager of the Archival Research Catalog

(2005–2008), where she led staff responsible for developing and implementing policies, processes, systems and standards relating to the description of records. She served as the agency representative to the White House Open Government Working Group from 2010-2017 and serves on advisory boards for the Digital Public Library of America and Library and Archives Canada.

Ms. Wright began her work at the National Archives as an archivist in the Initial Processing and Declassification unit in 2001 and holds undergraduate degrees in history and English from the University of Montana, as well as a graduate certificate in project management from the George Washington University. Prior to her work at the Archives, Ms. Wright was a staff historian for a private consulting firm, conducting research at local, state and federal facilities across the country.



Director, [Office of Federal Register](#)

Oliver Potts

oliver.potts@nara.gov

→ Oliver Pott's bio.

Oliver Potts was appointed as NARA's Director of the Federal Register in August 2015. As Director, he is responsible for publication of the official text of Federal laws, Presidential documents, and regulations. He previously served as Deputy Executive Secretary at the Department of Health and Human Services where he also served in legal counsel positions. Oliver holds a BA in Government and Politics from George Mason University and a JD from the University of Connecticut School of Law.



Executive for Agency Services

Jay Trainer

jay.trainer@nara.gov

➔Jay Trainer's bio.

Jay Trainer was appointed as NARA's Executive for Agency Services effective June 2013. As such he is responsible for NARA's nationwide efforts to service the ongoing records management needs of Federal agencies and to represent the public's interest in the accountability and transparency of these records. Agency Services is comprised of the Office of the Chief Records Officer, the Federal Records Centers Program, the Information Security Oversight Office, the National Declassification Center, and the Office of Government Information Services.

Jay is a career NARA employee having started as a student trainee at the Dayton Federal Records Center in 1988. Upon reassignment to Washington, DC, in 1991 he held a progression of management analyst and financial analyst positions at headquarters offices for the Federal Records Center, Records Management, and Regional Archives programs and the Washington National Records Center. Since 2004, Jay served as Assistant Director for the Federal Records Centers Program (FRCP). As the Assistant Director, Jay had oversight authority for four lines of business: Operations, the National Personnel Records Center, Customer Relations Management, and Business Development. He also exercised daily authority over staffing, finance, facilities, and administrative functions as well as a lead role in FRCP strategic planning efforts. Jay also served as a member of the NARA Strategic Support Team assisting with strategic planning and benchmarking efforts.

Jay holds a BA in History from the University of Dayton and an MA in American History from George Mason University.



Chief Records Officer

Laurence Brewer

laurence.brewer@nara.gov

➔Laurence Brewer's bio.

As NARA's Chief Records Officer, Mr. Brewer leads records management throughout the Federal Government with an emphasis on electronic records. He provides overall direction and guidance for Federal agencies on all aspects of records and information management. This includes overseeing the scheduling and appraisal of Federal records, the development of records management regulations and guidance, and evaluating the effectiveness of records management programs in Federal agencies.

Prior to his current appointment, Mr. Brewer held a number of positions in NARA's records management program, including management positions working directly with Federal agencies to improve records management government-wide. Most recently, he directed the National

Records Management Program, coordinating the activities of headquarters and field records management staff in support of NARA's overall strategic plan.

Prior to joining NARA in 1999, Mr. Brewer was a records management consultant responsible for managing records management programs at the Environmental Protection Agency and the Virginia Department of Transportation. He has more than 25 years of experience in records and information management and earned his Certified Records Manager (CRM) designation in 1998. Mr. Brewer is also a senior fellow of the Partnership for Public Service's Excellence in Government Program, which focuses on developing the leadership skills of senior government employees. He holds an M.A. in Political Science from the University of Georgia, and a B.A. in Government from the College of William and Mary.



[Executive for Research Services](#)

Ann Cummings

ann.cummings@nara.gov

➔Ann Cummings'bio.

Ann Cummings has served as NARA's Executive for Research Services since December 2016. In this role, she is responsible for directing a program that acquires, preserves, and makes accessible the National Archives' vast holdings of accessioned Federal records at fourteen locations nationwide. From 2011 to 2016, Ann served as the Access Coordinator responsible for Research Services' archival operations in the Washington DC area. She holds a B.A. in History from Friends University in Wichita, Kansas and an M.A. in History from Wichita State University.



Executive for Legislative Archives, [Presidential Libraries, and Museum Services](#)

Susan K. Donius

susan.donius@nara.gov

➔Susan K. Donius' bio.

Susan K. Donius was appointed as NARA's Executive for Legislative Archives, Presidential Libraries, and Museum Services in August 2020. In this role, Susan provides oversight and coordination for the archival programs of the Center of Legislative Archives and Presidential Libraries, including records matters with the US Congress and the White House. She is also responsible for the museum and education programs for the National Archives in Washington, DC and New York City, the fourteen Presidential Libraries, and the Center for Legislative Archives.

From February 2012 to 2020, Susan served as the Director of the Office of Presidential Libraries coordinating programs and operations among the Libraries, including the establishment of new Presidential Libraries. Susan played an integral role in the establishment of the William J. Clinton, Richard Nixon, and George W. Bush Presidential Libraries. She has also consulted internationally on the Presidential Library System and the establishment of new Presidential Libraries.

Susan began her career as an Archives Technician at the National Personnel Records Center in St. Louis, Missouri. She has also worked as a Management Analyst and Budget Analyst in the Office of Regional Records Services and the Office of the Federal Records Centers Program. Susan holds a bachelor's degree in Industrial and Organizational Psychology and Business Economics from Southern Illinois University and a master's degree in Information Management from Syracuse University.



Chief Information Officer

Swarnali Haldar

swarnali.haldar@nara.gov

➔Swarnali Haldar's bio.



Acting, Executive for fteri

Mark A. Smith
mark.smith@nara.gov



Chief, Management and Administration

Micah Cheatham
micah.cheatham@nara.gov
➔Micah Cheatham's bio.

Micah Cheatham was appointed as NARA's Chief of Management and Administration in October 2016. Prior to this appointment, he served as NARA's Chief Financial Officer. He has previously served as the Director of Budget for the General Services Administration and in financial management positions in the Internal Revenue Service. Micah holds an undergraduate degree in Economics from the London School of Economics and a graduate degree in Applied Economics from the University of Michigan.



Chief Financial Officer

Colleen Murphy
Colleen.Murphy@nara.gov
➔Colleen Murphy's bio.

Colleen Murphy was appointed as NARA's Chief Financial Officer in October 2016. As CFO, she is the principal adviser to the Archivist on Federal financial management and provides enterprise wide leadership for budget, accounting policy and operations, financial reporting, and operation of NARA's Trust and Gift Funds. From 2010 to 2016, Colleen served as NARA's Accounting Officer. She has Bachelor Degrees from the University

of Maryland in Accounting and Government and Politics.



Chief Human Capital Officer

Valorie Findlater

valorie.findlater@nara.gov

➔Valorie Findlater'sbio.

Valorie Findlater is NARA's Chief Human Capital Officer (CHCO) as of June 2021. As the CHCO, she provides leadership and management of human capital planning, policy, program development and guides leadership in creating an environment that is conducive to strengthening the workforce's capacity to communicate, learn, collaborate and work together effectively. Valorie joined NARA in 2014. Prior to her current appointment, she served as the Director of Employee and Labor Relations, Performance Management and Benefits Division. Valorie holds a Bachelor of Science degree in Business Administration from the University of the West Indies, Jamaica.



Director, Communications and Marketing

John Valceanu

john.valceanu@nara.gov

➔John Valceanu'sbio.

John Valceanu is NARA's Director of Communications and Marketing, overseeing NARA's public and media communications, product development and internal communications. Before joining NARA in February 2016, John worked for the U.S. Department of Defense, where he

led the teams that manage content on Defense.gov, DoD's official home page, and which produce news and feature articles for military newspapers and websites around the world.

In addition to DoD, John's government experience includes serving as acting director of Enterprise Web Management at the General Services Administration. He retired from the military after completing a 20-year combined active and reserve U.S. Army career as a public affairs specialist, including tours with the 82nd Airborne Division, the Southern European Task Force Infantry Brigade and on the staff of "Soldiers," the official magazine of the U.S. Army.

John has a bachelor's degree in liberal arts and creative writing from Sarah Lawrence College and a master's degree in public administration from Troy University.



Director, Executive Secretariat

Tasha Ford

tasha.ford@nara.gov

➔Tasha Ford'sbio.

Tasha Ford is the Director of the Executive Secretariat division in the Office of the Chief of Staff. She will direct the operations of the Archivist's Office, ensure effective communication with all NARA units, and assist the Archivist and Deputy Archivist in coordinating program and policy matters across the agency to achieve NARA's mission and strategic goals.

Tasha began her NARA career at NPRC in December 2006, where her last position was the Branch Chief of the Reference Service Branch at Valmeyer, supervising two divisions within the branch. She relocated to Washington, DC, in April 2014 to work for two years as a Project Manager in the Office of the Archivist. Tasha provided direct support to the Archivist, Deputy Archivist, and Chief of Staff on multiple projects, including workplace culture efforts, the creation and development of the Managers and Supervisors forums and handbook, and the One Voice customer service initiative. In July 2016, Tasha was promoted to a Program and Management Analyst in the front office for Agency Services, directly supporting Executive Jay Trainer and Chief of Staff Stefanie Hutchins. She has largely devoted her time recently to improving employee experience for all Agency Services staff by working with agency-wide POCs of key functions, including performance management, employee relations, learning and development, EEO and affirmative employment, and the RESOLVE program to collaboratively identify and resolve both short and long-term workplace issues that ultimately impact internal and external customer service delivery.

Tasha has a Bachelor of Science degree in Business Administration from Harris-Stowe State University, and a Master of Arts degree in Management and Leadership and an MBA from Webster University. Tasha is also a Federal Internal Coach.

Important Points of Contact



[Inspector General](#)

Brett M. Baker

brett.baker@nara.gov

➔ [Brett Baker's bio.](#)

Dr. Brett Baker is the Inspector General for the U.S. National Archives and Records Administration. He previously served as the Assistant Inspector General for Audit (AIGA) at the Nuclear Regulatory Commission Office of Inspector General (OIG). He also worked as the Deputy Inspector General for Audit for the Department of Defense OIG, AIGA at the National Science Foundation OIG, AIGA at the U.S. Department of Commerce OIG, and the Director for Internal Review at the Defense Finance and Accounting Service. He began his audit career at the U.S. Department of Education OIG. Dr. Baker is also a veteran of the U.S. Army.

Dr. Baker earned a doctorate in Information Technology and Systems Management from the University of Maryland University College. He holds a master's degree in Information Systems Management from the Central Michigan University, a bachelors' degree in Accounting from the University of Northern Iowa, and a bachelor's degree in Sociology from Iowa State University. He is also a Certified Public Accountant and a Certified Information Systems Auditor.



External Affairs Liaison

Megan (Meg) Phillips
meg.phillips@nara.gov
➔Meg Phillips'sbio.

Megan (Meg) Phillips became NARA's External Affairs Liaison in August 2013. From 2010 to 2013 she served as the Electronic Records Lifecycle Coordinator in the Office of the Chief Operating Officer. In that role, Meg was involved with two large-scale electronic records initiatives, NARA's Electronic Records Archives (ERA) project and the search for automated electronic records management solutions under the Managing Government Records Directive. From 2008 to 2010, she served as the Electronic Records Project Manager and ERA adoption coordinator for the Office of Regional Records Services. Meg joined NARA in 2002 as a Senior Records Analyst in the Mid Atlantic Region. She has been based at the National Archives at Philadelphia throughout her NARA career, helping keep her in touch with Agency and Research Services operations in the field.

Before coming to NARA, Meg ran the archives and records management program for the American College of Physicians. She has a BA in history from Haverford College, an MA in history from the University of Chicago, and a MLS from the University of North Carolina at Chapel Hill. Meg is a Certified Records Manager and an active participant in the Society of American Archivists.



Director, [Equal Employment Opportunity \(EEO\) Program](#)

Erica Pearson
erica.pearson@nara.gov
➔Erica Pearson's bio.

Erica Pearson is the Director of the Equal Employment Opportunity Office. As Director, she is the principal advisor to the Archivist on all EEO

matters, and is responsible for the leadership and oversight of the agency's EEO program. Ms. Pearson works toward the systemic improvement of various aspects of equal employment opportunity which includes programs such as EEO complaints, Anti-harassment, Disability and Diversity and Inclusion. Ms. Pearson holds a BA in Accounting and a MA in Human Resource Management.



Executive Director, [National Historical Publications and Records Commission \(NHPRC\)](#)

Christopher Eck
christopher.eck@nara.gov
➔ Christopher Eck's bio.

Christopher Eck became the Executive Director of the National Historical Publications and Records Commission (NHPRC) in April 2018. He is the thirteenth executive director of the NHPRC, which was created by Congress in 1934 and is chaired by the Archivist of the United States. He and the NHPRC staff provide support for the Commission's leadership initiatives, grant programs, and the fostering of new tools and methods to connect the work of the National Archives to the work of the nation's archives.

Christopher came to the NHPRC from the Defense POW/MIA Accounting Agency and his prior Federal Government service includes work with the First Responder Network Authority ("FirstNet"), the Air National Guard at Joint Base Andrews, and the US General Services Administration. Additionally, he served as the executive director of the Miami-Dade County (metropolitan Miami) Office of Historic Preservation and as the administrator of the Broward County (metropolitan Fort Lauderdale) Historical Commission. Christopher holds an undergraduate degree in History from Loyola University New Orleans, a master's degree in History and Historical Archaeology from the University of Massachusetts Boston, and a law degree from the University of Miami.



Director, [Information Security Oversight Office \(ISOO\)](#)

Mark A. Bradley

mark.bradley@nara.gov

➔Mark A. Bradley's bio.

The President of the United States approved Mark A. Bradley's appointment as Director of ISOO in November 2016. Before coming to ISOO, Mr. Bradley served from 2010–2016 as the Director of FOIA, Declassification, and Prepublication Review at the U.S. Department of Justice's National Security Division. While at the DOJ, he also served as an attorney-adviser, Deputy Counsel for Intelligence Policy, and Acting Chief of Intelligence Oversight. He has been a member of the federal government's Senior Executive Service since 2003.

Mr. Bradley also served as a CIA intelligence officer and as Senator Daniel Patrick Moynihan's legislative assistant for foreign affairs and intelligence matters and as his last legislative director. He co-drafted the legislation that established the Public Interest Declassification Board. Mr. Bradley, who is a member of the District of Columbia Bar, also practiced as a criminal defense lawyer in the District of Columbia, defending indigents accused of serious crimes.

In 2015, the Society for History in the Federal Government awarded "A Very Principled Boy" his biography of Soviet spy Duncan Lee, its George Pendleton Prize for being the best book written by a Federal historian in 2014.

He is a Phi Beta Kappa graduate of Washington & Lee University and holds an M.A. in Modern History from Oxford, which he attended as a Rhodes scholar, and a law degree from the University of Virginia.



Director, [Office of Government Information Services \(OGIS\)](#)

Alina Semo

alina.semo@nara.gov

➔Alina Semo's bio.

Alina M. Semo became the Director of the Office of Government Information Services (OGIS) in December 2016. OGIS serves as the nation's FOIA Ombudsman. Its mission is to improve the FOIA process through resolving disputes between Federal agencies and FOIA requesters; reviewing agencies' FOIA policies, procedures and compliance; and making recommendations to Congress and the President to improve the administration of FOIA.

Prior to joining OGIS, Ms. Semo served as the Director of Litigation in NARA's Office of General Counsel for two and a half years. Before coming to NARA, Ms. Semo led the FOIA Litigation Unit in the Office of the General Counsel at the Federal Bureau of Investigation (FBI) for over 10 years,

and prior to that served as an Assistant General Counsel in the FBI's Litigation Branch for nearly 5 years. Ms. Semo began her Federal Government career as a U.S. Department of Justice trial attorney and later senior counsel in the Federal Programs Branch, Civil Division, from 1991 to 1999; and from 1988 to 1991, Ms. Semo worked as a litigation associate at Hopkins & Sutter in Washington, DC. Ms. Semo earned her law degree in 1988 from Georgetown University Law Center and graduated Phi Beta Kappa from the University of Maryland, College Park in 1985 with a Bachelor of Arts degree with high honors in Government and Politics. Ms. Semo is licensed in the District of Columbia and Maryland.



Director, [Federal Records Center Program \(FRCP\)](#)

Gordon G. Everett

gordon.everett@nara.gov

➔Gordon Everett's bio.



Director, [National Declassification Center \(NDC\)](#)

William P. Fischer

william.fischer@nara.gov

➔William Fischer's bio.

William P. Fischer was appointed Director of the National Declassification Center in February 2019. Prior to this appointment, Mr. Fischer served in a number of positions at the Department of State involving records management, declassification, and other information access programs. He most recently served as the Deputy Director of the Office of Information Programs and Services at the State Department. Prior to joining the

Department of State in 2008, Mr. Fischer served in a variety of archival roles at NARA from 1998 to 2008.

Mr. Fischer holds a B.A. in History from the University of Montana, an M.A. in History from Montana State University, and a Ph.D. in History from the Catholic University of America.



Director, [National Personnel Records Center \(St. Louis\)](#)

Scott Levins

scott.levins@nara.gov

➔ Scott Levin's bio.

Scott Levins was appointed the Director of the National Personnel Records Center (NPRC), effective July 3, 2011, bringing to the position over 20 years of experience at the National Archives. Prior to this appointment, Mr. Levins served as the Assistant Director for Military Records at NPRC and worked on space and facility matters in the Central Office of Regional Records Services, helping with the transition of the FRC Program to a fully reimbursable operation. He also was the Coordinator of Records Center Operations at the Pittsfield Federal Records Center and held Management Analyst positions in the Central Office of Federal Records Centers and at the Washington National Records Center.

Mr. Levins holds an undergraduate degree in Business Administration from Saint Xavier University in Chicago and a Masters in Business Administration from the University of Massachusetts.



Director, Preservation Programs

Allison Olson

allison.olson@nara.gov

➔Allison Olson'sbio.

Allison Olson became Director of Preservation Programs in January 2018. She is responsible for programs that preserving the holdings of the National Archives in collaboration with the custodial units and other stakeholders. She has worked at the National Archives since 2002 in a variety of positions: system owner for Holdings Management System, a preservation officer, and a paper conservator. She has a B.A. from University of Delaware in Art History and Art Conservation as wells as a M.A. in Art Conservation from Queen's University in Kingston, Ontario.



Director, Center for Legislative Archives

Richard Hunt

richard.hunt@nara.gov

➔Richard Hunt'sbio.

Richard H. Hunt has served as the Director of the Center for Legislative Archives since 2004, administering the staff responsible for the official records of the U.S. House of Representatives U.S. Senate, and legislative branch commissions. The Center supports the current business needs of Congress by returning records to committees, providing records assistance to House and Senate committees, congressional administrators, and the congressional community generally, and contributing to the exhibitions in the Capitol Visitor Center. The Center holds significant volumes of both textual and electronic records from congressional committees, commissions, and from its biennial web harvest of congressional web sites. The Center also provides archival services and programs to support researchers' use of the records and creates educational materials and programs to advance public understanding of the history of Congress and of representative government in America.

Hunt began his career at the National Archives in 1989 and at the Center in 1991, where he has served as assistant director, congressional outreach specialist, and archivist. Before coming to the National Archives, Hunt was a lecturer for five years at the University of California, San Diego and at Loyola Marymount University in Los Angeles, where he taught courses in United States history. Hunt did graduate work in history at the University of California, San Diego and has a B.A. in History and Social Studies from the University at Albany, State University of New York.



Acting Director, Office of Presidential Libraries

Terri Garner

terri.garner@nara.gov



Chief Acquisition Officer

La Verne Fields

laverne.fields@nara.gov

➔La Verne Fields' bio.

On October 2, 2016, La Verne Fields was appointed acting Chief Acquisition Officer (CAO), and on September 17, 2017, she was appointed NARA's first CAO. As the principal procurement advisor, La Verne leads agency wide acquisition policy, planning, and operations. La Verne also serves as NARA's Suspension and Debarment Official and Acquisition Career Manager (ACM). As ACM, she is responsible for the training and professional development of the distributed acquisition workforce.

La Verne joined NARA in 2005 and has served as Director of Acquisitions since 2011. Prior to joining NARA, she held acquisition positions at the Department of Homeland Security and the U.S. Postal Service. She holds a Bachelor of Science degree in communications and Master's degrees in organizational management; industrial and organizational psychology; and acquisition and supply chain management.



Chief Customer Experience Officer

Stephanie D. Bogan

stephanie.bogan@nara.gov

➔Stephanie Bogan'sbio.

Stephanie D. Bogan was appointed Chief Customer Experience Officer in July 2019. Ms. Bogan is a customer enthusiast with over 10 years of federal experience leading multidisciplinary, service-oriented teams toward customer success. Prior to her appointment, Ms. Bogan led several enterprise-wide initiatives in the public and private sectors to enhance operational efficiency, customer satisfaction, and employee satisfaction with demonstrated results.

Ms. Bogan is a Certified Customer Experience Professional (CCXP) and holds a Bachelor of Arts degree in Philosophy with minors in Journalism and Political Science from the University of Missouri – Columbia, Master of Arts degree in Media Communication with an emphasis in Advertising and Marketing, and Master of Business Administration degree from Webster University – St. Louis.